

U.S. DISTRICT COURT  
DISTRICT OF VERMONT  
FILED

2018 JUL 26 PM 2:24

UNITED STATES DISTRICT COURT  
FOR THE  
DISTRICT OF VERMONT

UNITED STATES OF AMERICA, )  
)  
Plaintiff, )  
)  
v. )  
)  
\$5,000.00, MORE OR LESS, IN )  
UNITED STATES CURRENCY )  
)  
Defendant in rem. )

CLERK  
BY  DEPUTY CLERK

Case No. 5:18-cv-122

**VERIFIED COMPLAINT FOR FORFEITURE IN REM**

Plaintiff, the United States of America (the “United States”), by and through its attorney, Christina E. Nolan, United States Attorney for the District of Vermont, brings this complaint and alleges as follows in accordance with Rule G(2) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions:

**NATURE OF THE ACTION**

1. This is a civil action *in rem* to forfeit and condemn to the use and benefit of the United States all right, title, and interest in the above-named defendant *in rem*, to wit, \$5,000.00, more or less, in United States currency (the “Defendant Currency”), which is forfeitable pursuant to: (a) 21 U.S.C. § 881(a)(6) because it constitutes moneys furnished or intended to be furnished by a person in exchange for a controlled substance in violation of the Controlled Substances Act, proceeds traceable to such an exchange, and/or moneys used or intended to be used to facilitate such an exchange; and (b) 18 U.S.C. § 981(a)(1)(C) because it constitutes proceeds derived from “specified unlawful activity” as defined in 18 U.S.C. §§ 1956(c)(7)(A) and 1961(1)(D), namely, the felonious manufacture, importation, receiving, concealment, buying, selling, or otherwise dealing in a controlled substance.

### **THE DEFENDANT IN REM**

2. The Defendant Currency consists of a sum of United States currency totaling \$5,000.00, more or less, which the Vermont State Police (“VSP”) seized from Andre Marshall on February 21, 2018, at Rutland, Vermont, within the District of Vermont. At the time of seizure, the Defendant Currency was located on Marshall’s person and consisted of bundled cash in the following denominations: 26 x \$100, 1 x \$50, 124 x \$20, and 4 x \$1.

3. On March 2, 2018, the Federal Bureau of Investigation (“FBI”) adopted the Defendant Currency for forfeiture pursuant to 21 U.S.C. § 881(a)(6). Following adoption, the FBI converted the Defendant Currency to a bank check, which was released into the possession, custody, and control of the United States Marshals Service at Burlington, Vermont, within the District of Vermont. The United States Marshals Service subsequently deposited the funds in a government account for safekeeping pending forfeiture.

### **JURISDICTION AND VENUE**

4. The Court has subject-matter jurisdiction over this civil action *in rem* pursuant to 28 U.S.C. §§ 1345 and 1355(a) because this is a civil action commenced by the United States for the enforcement of a forfeiture incurred under an Act of Congress.

5. The Court has *in rem* jurisdiction over the Defendant Currency pursuant to 28 U.S.C. §§ 1355(b)(1)(B) and 1395(b) because the Defendant Currency was seized in this district. In accordance with Rule G(3)(b)(i) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions, the United States requests that the Clerk of Court issue a warrant to arrest the Defendant Currency upon the filing of this complaint.

6. Venue is proper in this district pursuant to 28 U.S.C. §§ 1355(b)(1)(B) and 1395(b) because the Defendant Currency was seized in this district.

### STATEMENT OF FACTS

7. The factual allegations set forth in this complaint are alleged upon information and belief and based upon evidence obtained by state and federal law enforcement personnel, investigative reports prepared by such personnel, and information shared by and between such personnel in the course of investigating the conduct giving rise to forfeiture.

#### **Discovery of the Defendant Currency and Evidence of Its Unlawful Nature**

8. On February 21, 2018, at approximately 12:15 a.m., a VSP Sergeant (Sgt. #1) was traveling north on US Route 7 in Rutland, Vermont, when he observed a white Cadillac Escalade bearing New York registration 2NICCE (the “Escalade”) cross the highway centerline multiple times in violation of Vermont law.

9. Sgt. #1 stopped the Escalade and made contact with its occupants.

10. The driver of the Escalade produced a Vermont driver’s license that identified him as Andre Marshall of Brandon, Vermont. Marshall was accompanied by a single passenger, who was later identified as Robinson Jeanty of Brooklyn, New York.

11. While making contact with Marshall and Jeanty, Sgt. #1 detected an odor of burnt marijuana emanating from within the Escalade.

12. Sgt. #1 was soon joined by another VSP Sergeant (“Sgt. #2”), who likewise detected an odor of burnt marijuana emanating from within the Escalade. Sgt. #2 also later detected an odor of raw marijuana emanating from the Escalade.

13. Marshall stated that he and Jeanty were traveling from Albany, New York, to Marshall’s home in Brandon, Vermont, but he later clarified that he and Jeanty had come from Brooklyn, New York, and had made a stop in Albany. He and Jeanty both stated that they had no specific plans for their time in Vermont, and Jeanty further explained that he had planned to return to Brooklyn later that same day, though he did not know how he would get to Brooklyn.

14. While making contact with Marshall and Jeanty, Sgt. #2 observed that Marshall's hands appeared to be trembling and that Marshall's respiration appeared elevated.

15. Upon visually scanning the interior of the Escalade from his position outside of the vehicle, Sgt. #2 observed the following in plain sight: a green leafy substance on the driver's side floorboard of the vehicle; approximately 10 air fresheners hanging from the headliner and steering column of the vehicle; 4 cellular phones; and what appeared to be a video-recording device attached to the vehicle's rear-view mirror. He further observed a small, green, blinking light emitting from the video-recording device, which he understood to be an indication that the device was recording during the traffic stop.

16. When questioned about the odor of burnt marijuana emanating from the Escalade, Marshall stated that he had smoked marijuana in the vehicle 3 hours prior to being stopped.

17. When questioned as to whether he was in possession of any marijuana, Marshall initially stated that he was not in possession of any marijuana, but he subsequently admitted that he was in possession of approximately 1 ounce of marijuana and that such marijuana was located in the center console of the Escalade.

18. Sgt. #2 thereafter sought and obtained Marshall's consent to search his person.

19. In the course of searching Marshall's person, Sgt. #2 found a total of \$5,134.00 in United States currency (the Defendant Currency). A bundle containing \$2,483.00 comprised of the following denominations was found in the left-hand pocket of Marshall's pants: 124 x \$20 and 3 x \$1. Another bundle containing \$2,651.00 comprised of the following denominations was found in the right-hand pocket of Marshall's pants: 26 x \$100, 1 x \$50, and 1 x \$1.

20. Marshall said he earned the Defendant Currency working as a music manager.

21. Upon completing the search of Marshall's person, Sgt. #2 sought and obtained

Marshall's consent to search the Escalade.

22. Prior to searching the Escalade, Sgt. #2 asked Jeanty to exit the vehicle. He also sought and obtained Jeanty's consent to search his person.

23. In the course of searching Jeanty's person, Sgt. #2 found a total of \$4,350.00 in United States currency. A bundle containing \$1,830.00 comprised of the following denominations was found in the left-hand pocket of Jeanty's pants: 19 x \$50, 43 x \$20, and 2 x \$10. Another bundle containing \$2,520.00 comprised of the following denominations was found in the right-hand pocket of Jeanty's pants: 126 x \$20.

24. Jeanty said he won the money at a casino in Queens, New York, earlier that day.

25. During his search of the Escalade, Sgt. #2 found, among other things: 1.17 ounces (33.1 grams) of marijuana; four cellular phones; and several hand tools of the variety commonly used to remove the interior trim of automobiles.

26. During his search of the Escalade, Sgt. #2 observed, among other things, several nuts and bolts scattered throughout the vehicle and a section of carpeting in the rear-seat area of the vehicle that appeared to have been cut along a seam and pulled back. Upon pulling back this section of carpeting, he observed that several nuts were missing from the rear seat mounts.

27. By the time of the above-referenced search, a Rutland City Police Department K9 unit had arrived at the scene of the traffic stop. The K9 unit consisted of a police officer and a police dog that was trained to detect and alert upon heroin, cocaine, crack, methamphetamine, and ecstasy. The police dog was also "proofed" on United States currency, meaning that the dog would not alert on United States currency unless the currency had recently been in contact with one or more of the above-referenced narcotics. The police dog was not trained to detect or alert upon marijuana or United States currency that had been in contact with marijuana.



28. Upon being deployed in the front-seat area of the Escalade, the police dog alerted on an empty black plastic bag that was located inside the driver's door pocket, thereby indicating that heroin, cocaine, crack, methamphetamine, and/or ecstasy had recently been concealed in, or had recently come in contact with, the black plastic bag.

29. Upon being deployed in the rear-seat area of the Escalade, the police dog alerted on the area in which the carpeting appeared to have been cut and pulled back, thereby indicating that heroin, cocaine, crack, methamphetamine, and/or ecstasy had recently been concealed in, or had recently come in contact with, this area of the vehicle. Despite repeated commands to search the entirety of the back-seat area for drugs, the police dog repeatedly returned to, and alerted upon, the above-referenced area in which the carpeting had been disturbed.

30. Based on the foregoing facts and other evidence of criminal activity, Sgt. #2 seized the Escalade in anticipation of seeking and obtaining a search warrant to more thoroughly search the vehicle and its contents for evidence of criminal violations involving the possession and/or sale and distribution of controlled substances. He also seized the \$5,134.00 found on Marshall's person, the \$4,350.00 found on Jeanty's person, and the 4 cellular phones.

31. Sgts. #1 and #2 and the Rutland City Police Department K9 unit thereafter returned to the VSP barracks in Rutland, Vermont, where, among other things, each bundle of money seized from Marshall and Jeanty (including, but not limited to, the Defendant Currency) was hidden in a separate location within a drug-free office space that the police dog then swept for drugs. The dog detected and alerted upon each hidden bundle of money, thereby indicating that each bundle contained currency that had recently come in contact with heroin, cocaine, crack, methamphetamine, and/or ecstasy.

32. Based on the foregoing facts and other evidence of criminal activity, Sgt. #2 sought, obtained, and executed a search warrant authorizing him to perform a more thorough search of the Escalade for evidence of criminal violations involving the possession and/or sale and distribution of controlled substances.

33. During his second search of the Escalade, Sgt. #2 located, among other things, a 32-gigabyte Falcon Zero Secure Digital (“SD”) card in the vehicle’s video-recording device.

34. Based on the foregoing facts and other evidence of criminal activity, Sgt. #2 sought, obtained, and executed a search warrant authorizing the search of the Falcon Zero SD card for evidence of criminal violations involving the possession and/or sale and distribution of controlled substances.

35. During his search of the Falcon Zero SD card, Sgt. #2 located more than one hundred audio/video recordings captured by the video-recording system within the Escalade, including a number of recordings captured during the traffic stop on February 21, 2018.

36. One of the audio/video recordings captured at 12:22 a.m. on February 21, 2018 (*i.e.*, approximately 7 minutes into the traffic stop), depicts a private conversation had between Marshall and Jeanty in the Escalade after Sgt. #1 returned to his patrol car to run a Department of Motor Vehicles check on Marshall’s driver’s license. The recording captured Marshall directing Jeanty to “take some more, take another stack.” The recording further captured Jeanty referring to “the first stack you gave me . . .,” and Marshall ultimately telling Jeanty: “you got, like, four thousand . . .” Such and other recorded remarks are consistent with Jeanty taking possession of \$4,000.00, more or less, from Marshall, at Marshall’s behest, so Marshall would not be found to be in possession of such money if searched by Sgt. #1.

37. The \$4,350.00 in United States currency that was found on Jeanty's person is the cash that Marshall surreptitiously provided to Jeanty during the car stop and which Jeanty falsely claimed to have won at a casino in Queens, New York, earlier that day.

38. The high number of small bills comprising the Defendant Currency and the currency found upon Jeanty's person is consistent with proceeds deriving from the street-level sale of controlled substances.

39. Marshall and Jeanty both have lengthy criminal histories.

40. Marshall's criminal history includes a number of convictions for drug-related offenses committed in and around Albany, New York, including convictions for felony sale of a narcotic, felony possession of a narcotic, and felony possession of a narcotic with intent to sell.

41. Marshall was charged criminally by the State of Vermont in connection with his unlawful possession of the 1.17 ounces (33.1 grams) of marijuana found in the Escalade.

#### ***Administrative Forfeiture Proceedings***

42. On or about March 2, 2018, Special Agents with the FBI adopted the \$9,484.00 in United States currency seized from Marshall and Jeanty (including the Defendant Currency) for forfeiture pursuant to 21 U.S.C. § 881(a)(6).

43. On or about March 23, 2018, the FBI commenced administrative forfeiture proceedings against the \$9,484.00 in United States currency by timely issuing to Marshall and to Jeanty a Notice of Seizure of Property and Initiation of Administrative Forfeiture Proceedings.

44. On or about April 27, 2018, Marshall filed an administrative claim in which he asserted an interest in the \$9,484.00 subject to forfeiture. More specifically, Marshall claimed that the \$5,134.00 that had been seized from him included \$5,000 that he had borrowed from his parents (the Defendant Currency). Marshall did not assert any interest in the remaining balance of the seized funds that are subject to forfeiture.



**FIRST CLAIM FOR RELIEF**  
**(Forfeiture Pursuant to 21 U.S.C. § 881(a)(6))**

45. Plaintiff repeats and realleges each and every allegation contained in paragraphs 1 through 44 above as if fully set forth herein.

46. Pursuant 21 U.S.C. § 881(a)(6), all moneys furnished or intended to be furnished by a person in exchange for a controlled substance in violation of the Controlled Substances Act, proceeds traceable to such an exchange, and/or moneys used or intended to be used to facilitate such an exchange, shall be subject to forfeiture to the United States and no property rights shall exist in such moneys or proceeds.

47. Heroin, ecstasy, and marijuana are Schedule I controlled substances under the Controlled Substances Act. Cocaine, crack, and methamphetamine are Schedule II controlled substances under the Controlled Substances Act.

48. Pursuant to 18 U.S.C. § 984(a)(2), in any forfeiture action *in rem* in which the subject property is cash, any identical property found in the same place as the property involved in the offense that is the basis for the forfeiture shall be subject to forfeiture, so long as the action to forfeit such identical property is commenced within one year from the date of the offense that is the basis for the forfeiture.

49. The Defendant Currency constitutes, in whole or in part, moneys furnished or intended to be furnished by a person in exchange for a controlled substance in violation of the Controlled Substances Act, proceeds traceable to such an exchange, and/or moneys used or intended to be used to facilitate such an exchange.

50. Accordingly, all right, title, and interest in the Defendant Currency is subject to forfeiture to the United States pursuant to 21 U.S.C. § 881(a)(6) and 18 U.S.C. § 984(a)(2).

**SECOND CLAIM FOR RELIEF**  
**(Forfeiture Pursuant to 18 U.S.C. § 981(a)(1)(C))**

51. Plaintiff repeats and realleges each and every allegation contained in paragraphs 1 through 50 above as if fully set forth herein.

52. Pursuant to 18 U.S.C. § 981(a)(1)(C), any personal property that constitutes or is derived from proceeds traceable to any offense constituting “specified unlawful activity,” as that term is defined in 18 U.S.C. § 1956(c)(7), is subject to forfeiture to the United States.

53. Pursuant to 18 U.S.C. § 1956(c)(7)(A), the term “specified unlawful activity” includes any act or activity constituting an offense listed in 18 U.S.C. § 1961(1), except an act that is indictable under Subchapter II of Chapter 53 of Title 31 of the U.S. Code. This definition of “specified unlawful activity” includes the offenses listed in 18 U.S.C. § 1961(1)(D), including the felonious manufacture, importation, receiving, concealment, buying, selling, or otherwise dealing in a controlled substance.

54. Heroin, ecstasy, and marijuana are Schedule I controlled substances under the Controlled Substances Act. Cocaine, crack, and methamphetamine are Schedule II controlled substances under the Controlled Substances Act.

55. Pursuant to 18 U.S.C. § 984(a)(2), in any forfeiture action *in rem* in which the subject property is cash, any identical property found in the same place as the property involved in the offense that is the basis for the forfeiture shall be subject to forfeiture, so long as the action to forfeit such identical property is commenced within 1 year from the date of the offense that is the basis for the forfeiture.

56. The Defendant Currency constitutes or is derived from, in whole or in part, proceeds traceable to an offense constituting “specified unlawful activity,” as defined in 18

U.S.C. §§ 1956(c)(7)(A) and 1961(1)(D), namely, the felonious manufacture, importation, receiving, concealment, buying, selling, or otherwise dealing in a controlled substance.

57. Accordingly, all right, title, and interest in the Defendant Currency is subject to forfeiture to the United States pursuant to 18 U.S.C. §§ 981(a)(1)(C), 984(a), 1956(c)(7), and 1961(1)(D).

### **RELIEF REQUESTED**

WHEREFORE, the United States respectfully requests that: (1) due notice be provided to all parties known or believed to have an interest in, or right against, the Defendant Currency, so that such parties may appear and show cause why forfeiture of the Defendant Currency should not be decreed; (2) all right, title, and interest in the Defendant Currency be forfeited and condemned to the use and benefit of the United States; (3) the United States be awarded its costs and disbursements in this action; and (4) the United States be granted such other and further relief as the Court deems just and proper.

Dated at Burlington, in the District of Vermont, this 26th day of July, 2018.

Respectfully submitted,

CHRISTINA E. NOLAN  
United States Attorney

By: *Ben Weathers-Lowin*  
BENJAMIN WEATHERS-LOWIN  
Assistant United States Attorney  
United States Attorney's Office  
P.O. Box 570  
Burlington, VT 05402-0570  
(802) 951-6725  
Ben.Weathers-Lowin@usdoj.gov

*Attorney for Plaintiff*

**VERIFICATION**

I, Jeffrey Stephenson, a Task Force Officer with the FBI, hereby verify under penalty of perjury that I have read the foregoing complaint and that the contents thereof are true and correct to the best of my knowledge, information, and belief.

Dated at Burlington, in the District of Vermont, this 26th day of July, 2018.



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JEFFREY STEPHENSON  
Task Force Officer, FBI

JS 44 (Rev. 09/11)

**CIVIL COVER SHEET**

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

**I. (a) PLAINTIFFS**

United States of America

(b) County of Residence of First Listed Plaintiff \_\_\_\_\_  
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)

Benjamin Weathers-Lowin, AUSA  
U.S. Attorney's Office, P.O. Box 570, Burlington, VT 05402-0570

**DEFENDANTS**

\$5,000.00, MORE OR LESS, IN  
UNITED STATES CURRENCY

County of Residence of First Listed Defendant \_\_\_\_\_  
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF  
THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

Matthew Hart, Esq. (Attorney for Claimant Andre Marshall)  
The Law Offices of Matthew Hart, Esq., 1085 US-4 E Suite 1-B,  
Rutland, VT 05701

**II. BASIS OF JURISDICTION** (Place an "X" in One Box Only)

- ☒ 1 U.S. Government Plaintiff  
☐ 2 U.S. Government Defendant  
☐ 3 Federal Question (U.S. Government Not a Party)  
☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

**III. CITIZENSHIP OF PRINCIPAL PARTIES** (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- |   | PTF                        | DEF                        |   | PTF                        | DEF                        |
|---|----------------------------|----------------------------|---|----------------------------|----------------------------|
| Citizen of This State                   | <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State     | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State                | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation  | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

**IV. NATURE OF SUIT** (Place an "X" in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	<b>PERSONAL INJURY</b> <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Med. Malpractice	<input checked="" type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other <b>LABOR</b> <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 <b>PROPERTY RIGHTS</b> <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark <b>SOCIAL SECURITY</b> <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g))	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure
<b>REAL PROPERTY</b> <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	<b>CIVIL RIGHTS</b> <input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education	<b>PRISONER PETITIONS</b> <input type="checkbox"/> 510 Motions to Vacate Sentence <b>Habeas Corpus:</b> <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement	<b>FEDERAL TAX SUITS</b> <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS - Third Party	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure

**V. ORIGIN**

(Place an "X" in One Box Only)

- ☒ 1 Original Proceeding  
☐ 2 Removed from State Court  
☐ 3 Remanded from Appellate Court  
☐ 4 Reinstated or Reopened  
☐ 5 Transferred from another district (specify)  
☐ 6 Multidistrict Litigation

**VI. CAUSE OF ACTION**

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):  
 21 U.S.C. § 881(a)(6); 18 U.S.C. § 981(a)(1)(C)

Brief description of cause:

Forfeiture of an in rem defendant as money derived from, or involved in, illegal drug-related activities

**VII. REQUESTED IN COMPLAINT:**

☐ CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23

DEMAND \$

5,000.00 (forfeiture)

CHECK YES only if demanded in complaint:

JURY DEMAND: ☐ Yes ☒ No**VIII. RELATED CASE(S) IF ANY**

(See instructions):

JUDGE

DOCKET NUMBER

DATE

07/26/2018

SIGNATURE OF ATTORNEY OF RECORD



FOR OFFICE USE ONLY

RECEIPT #

N/A

AMOUNT

APPLYING IFP

JUDGE

1013

MAG. JUDGE

5:18-cv-122